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April 26, 2005

VIA FACSIMILE
 (Total No. of Pages Transmitted: 8)

To: Examiner Firmin Backer
 Group Art Unit No. 3621

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From: Frederick E. Cooperrider

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Re: Statement of Substance of Interview
 U.S. Patent Application Serial No. 09/854,556
 Attorney Docket No. NEC.204 (166539/00)

Examiner Backer

Enclosed is a Statement of Substance of Interview, which we request be made of record, for the personal interview conducted on April 14, 2005.

Please note that, per discussion during the interview, included are possible wording changes that may expedite prosecution. Please advise whether such wording changes properly address your concerns raised during the interview.

Thank you in advance for your kind consideration on this case.

Very truly yours,



Frederick E. Cooperrider
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FEC/fec
 Enclosure

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Takahiro Tanioka

Serial No.: 09/854,556

Group Art Unit: 3621

Filed: May 15, 2001

Examiner: F. Backer

For: DISTRIBUTED PROCESSING SYSTEM, METHOD OF THE SAME

Honorable Commissioner of Patents
Alexandria, VA 22313-1450RECEIVED
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STATEMENT OF SUBSTANCE OF INTERVIEW

Sir:

In response to the requirement that a statement of the substance of an interview be placed in the record, Applicant hereby submits the following.

Applicant gratefully acknowledges Examiner Backer for taking time from his busy schedule to conduct a personal interview on April 14, 2005, for the above-referenced Application. The interview was courteous and professional, and it is believed by Applicant's representative that prosecution has been advanced because of this interview.

Concerning the substance of the interview, Applicant's representative presented a summary of the present invention as providing a method for a novel form of "on-line bartering" wherein a user terminal will be allowed a pre-agreed-upon license to use a specialized application program in exchange for having agreed to execute either that specialized application program or another application for hire.

This result is achieved by implementing a distributed processing method for a processing task. There is a user terminal that can a user application and a license application from an application server via a network. The application server transmits information of a user who obtained the user application and the license application to a collection/distribution server.

The collection/distribution server accepts a request for a processing task from a customer terminal via the network. The collection/distribution server divides the processing task into a form which can be distributed and executed in a plurality of user terminals.

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The collection/distribution server requests the user terminal to execute the divided processing task based on the user information received from the application server. The license application executes the divided processing task requested from the collection/distribution server by the license application on the user terminal, and sends back a processing result to the collection/ distribution server from the user terminal.

The collection/distribution server integrates the processing results of the processing task collected from the user terminals to transmit an integrated result to the customer terminal. The license application provides the user terminal with a license key for the user application installed to the user terminal.

It is this license key that becomes the mechanism for the electronic bartering in which compensation for the service of processing the tasks by the user terminal, using an application for which a fee is normally charged, is achieved by providing a license so that the user terminal can then use the application without having to pay the normal license fee.

One of the advantages of this bartering mechanism is that a contractor of a complicated computing task can control the cost of capital investment because the contractor does not need to own a large amount of expensive computer equipment, since the requested processing task is distributed over a plurality of the user terminals connected to the network.

A second advantage is that a user at a user terminal can acquire a limited license to itself use a specific application without paying the normal license fee charged for that application by permitting his terminal to be used at times as part of a distributed processing system.

As explained during the interview, the prior art fails to teach or suggest this electronic bartering method.

Suzuki discloses the distributed processing method comprising, in a distributed processing system consisting of one or more client node(s) and server node(s) communicating with each other. The method of Suzuki involves determining whether the server node or the client node perform the requested processing. This is an entirely different concept from the electronic bartering mechanism of the present invention.

The steps performed by the server node are: measuring the processing load of the server node; returning at least the response signal which causes the predetermined task to be

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executed to the client node which requested the predetermined task in response to the measured processing load of the server node; sending a program for the predetermined task to the client node when causing the client node itself to execute its own requested predetermined task; and, alternatively, when the server node itself executes the predetermined task rather than causing the client node to execute its own request, the server nodes sends the execution result back to the client node that requested the predetermined task.

Thus, Suzuki addresses the entirely different concept of whether it is the server node or the client node itself that executes the predetermined task requested by the client node.

Relative to Downs, this reference discloses computer systems interconnected in a network 10. The network 10 includes a resource requester 12, a resource allocator 17, and a plurality of resource providers 16 interconnected in a networking (Figure 1, column 3, lines 10-14). The resource requester 12 is simply a client that needs computing or processing resources for a task (column 3, lines 19-21). The resource allocator 14 is simply a server that assigns a particular task to one of a plurality of resource providers 16 (column 3, lines 23-25). The resource providers 16 are simply computer systems with resources (e.g., processing power) the at the resource provider 16 is willing to sell to clients, such as the resource allocator 14 and the resource requestor 12 (column 3, lines 25-28).

The resource allocator performs the business function of charging the resource requestor for services performed and paying the resource providers for service rendered (column 2, lines 28-30). The resource allocator offers the resource requestor minimum level of service and a level of guarantee so that the resource requester can select a variety of options that correspond to the client's task, cost, and time requirement (column 2, lines 30-33, column 3, lines 29-55, column 4, line 60 to column 5, line 28).

Therefore, Downs likewise does not mention the electronic bartering mechanism of the present invention. Nor does Downs require that there be a dividing of the task, another of the limitations of the independent claims.

The Examiner seemed willing to accept that there might be a distinction between the present invention and these two references but stated that he considered that there was wording missing in the independent claims that properly conveyed the meaning that there is an agreement between the terminal user that receives the licensee and the grantor of the

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license. Applicant's representative responded that the word "license" and the description in the final limitation conveys the meaning of this agreement, since a license is an agreement that the terminal user is allowed to execute the application for his own purpose without having to pay the normal user fee (e.g., in exchange for having processed one or more of the divided tasks for a customer paying to have the processing executed).

The Examiner seemed reluctant to accept this definition of "license", and Applicant's representative agreed to attempt to incorporate wording that might be more acceptable to the Examiner concerning this issue.

A possible draft wording for the independent claims is attached to this summary, to assist the Examiner in deciding what wording might be acceptable to allow these claims over the prior art currently of record.

It is noted that this wording has not yet been evaluated by Applicant, so that these proposed claim wording changes are submitted only for purpose of attempting to expedite prosecution.

4/26/05
Date



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DRAFT**PROPOSED CLAIM AMENDMENTS:**

3. (Currently amended) A distributed processing method in which a processing task is distributed to a plurality of user terminals in a network and executed by the plurality of user terminals, said distributed processing method comprising:

 a collection/distribution server dividing said processing task into one or more processing units and distributing the units to said user terminals so that:

 each user terminal of said plurality of user terminals receiving a processing unit transmitted from said collection/distribution server via the network can execute the processing unit under control of a license application installed in the user terminal; and

 each user terminal of said plurality of user terminals can then send back a processing result to said collection/distribution server via the network,

 wherein said license application provides each said user terminal with a license for using a user application as a value for executing said processing unit, said license indicating an agreement that said user application can be executed by said user terminal without paying a license fee.

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4. (Currently amended) A distributed processing method for a processing task, comprising:

 a user terminal obtaining a user application and a license application from an application server via a network;

 said application server transmitting information of a user who obtained said user application and said license application to a collection/distribution server;

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said collection/distribution server accepting a request for a processing task from a customer terminal via the network;

said collection/distribution server dividing said processing task into a form which can be distributed and executed in a plurality of user terminals;

said collection/distribution server requesting said user terminal of executing the divided processing task based on the user information received from said application server;

said license application executing the divided processing task requested from said collection/distribution server by said license application on said user terminal, and sending back a processing result to said collection/distribution server from said user terminal;

said license application providing the user terminal with a license key for said user application installed to said user terminal, said license indicating an agreement that said user application can be executed by said user terminal without paying a license fee; and

said collection/distribution server integrating the processing results of the processing task collected from said user terminals to transmit an integrated result to said customer terminal.

DRAFT

8. (Currently amended) A distributed processing system in which a processing task is executed by a plurality of user terminals, comprising:

a collection/distribution server which divides a processing task requested from a customer terminal into a plurality of processing units and distributes said processing units to said user terminals via the network; and

an application server which supplies said user terminals with a user application and a license application in response to a request from said user terminals,

wherein the license application supplied to said user terminal allows said processing

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unit to be executed on said user terminal and a processing result obtained therefrom to be sent back, when said user terminal receives one or more said processing units from said collection/distribution server, said license application also provides the user terminal with a license key for using said user application without paying a license fee.

17. (Currently amended) A signal-bearing medium embodying a program of machine-readable instructions executable by a digital processing apparatus, said program causing a user terminal, being in a distributed processing system comprising:

 a collection/distribution server;
 an application server;
 at least one or more user terminals; and
 a network mutually connecting the foregoing,
to perform a method of distributed processing, said method comprising:
 receiving a license key capable of using a specified user application from said application server;
 executing at least one or more processing units received from said collection/distribution server on said user terminal;
 sending back a result of executing said processing unit to said collection/distribution server; and
 applying said license key to said user application on said user terminal as a value for executing said processing units, said license key indicating that said user application can be executed by said user terminal without paying a license fee.

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